

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6188

BILL NUMBER: HB 1224

NOTE PREPARED: Jan 29, 2003

BILL AMENDED:

SUBJECT: Handgun Licenses and Ammunition.

FIRST AUTHOR: Rep. Smith V

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill limits the size of a license to carry a handgun and specifies certain information that must be obtained before a person may deliver ammunition for a handgun to another person. It requires the transferor of the handgun ammunition to forward certain information about the transfer to the Superintendent of the State Police Department.

Effective Date: Upon passage; July 1, 2003.

Explanation of State Expenditures: (Revised) Under the current law, a person shall not carry a handgun in any vehicle or on or about his person, except in his dwelling, on his property or fixed place of business, without a license. Under the bill, a person purchasing ammunition must provide a copy of a state handgun license or a federal handgun transfer application form, if applicable. The person transferring handgun ammunition would be required to record the name and serial number, or manufacturer's serial number; the amount, type and brand name of ammunition to be transferred; and would forward a copy of the information to the Superintendent of the State Police.

The State Police could incur administrative time and cost developing a uniform reporting for ammunition transfers. There were 308,214 active handgun permits as of January 23, 2003. Assuming that ammunition is purchased four times a year for each licensed handgun, the State Police may require storage capacity to process and retain 1,232,856 records a year. The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. As of December 11, 2002, the Indiana State Police

Department had 126 vacant civilian positions throughout the agency, with 44 of the vacant positions within the Bureau of Support Services. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Currently, a handgun license is 2 inches by 3.5 inches, within the size limit established in the bill.

Explanation of State Revenues: This bill provides for a Class A misdemeanor for violation of the ammunition transfer provisions. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

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